



Order Filed on May 18, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1 DENISE CARLON, ESQUIRE KML LAW GROUP, P.C. Sentry Office Plz 216 Haddon Ave. Suite 406 Westmont, NJ 08018 dcarlon@kmlawgroup.com Attorneys for Secured Creditor U.S. Bank National Association, as Trustee, relating to Home Equity Mortgage Trust Series 2007-2, Home Equity Mortgage Pass-Through Certificates, Series 2007-2
In Re: Guillermo J. Romero, Debtor.

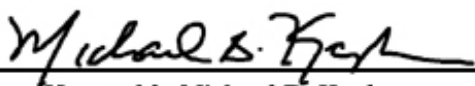
Case No.: 19-22136 MBK
Adv. No.:
Hearing Date: 8/14/2019 @10:00 a.m.

Judge: Michael B. Kaplan

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTORS'
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through four (4) is hereby
ORDERED

DATED: May 18, 2020



Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor:
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Guillermo J. Romero
19-22136 MBK

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO
DEBTORS' CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, U.S. Bank National Association, as Trustee, relating to Home Equity Mortgage Trust Series 2007-2, Home Equity Mortgage Pass-Through Certificates, Series 2007-2, holder of a mortgage on real property located at 79 Washington Avenue, Carteret, NJ 07008, Denise Carlon appearing, by way of objection to the confirmation of Debtors' Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and Franklin S. Montero, attorney for Debtor, Guillermo J. Romero, and for good cause having been shown;

It is **ORDERED, ADJUDGED and DECREED** U.S. Bank, N.A., et al., shall have a secured claim in the amount of \$5,200.00, which will be paid through Debtor's Chapter 13 plan as a secured claim; and

It is **ORDERED, ADJUDGED and DECREED** that U.S. Bank, N.A.'s lien will only be stripped upon the payment of the \$5,200 secured claim, Debtor's receipt of their discharge, and completion of the Chapter 13 Plan. Any dismissal of the case or conversion to a Chapter 7 will result in a full reinstatement of the subject lien; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that the lien shall be released and extinguished upon the successful payment of the \$5,200 secured claim, completion of the Debtor's Chapter 13 plan, and issuance of a discharge; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that U.S. Bank, N.A., et al., shall file a release of the lien with the recorder of deeds in the County of Middlesex within 30 days of the date of the service of Debtor's discharge; and

It is **FURTHER, ORDERED, ADJUDGED and DECREED** that in the event U.S. Bank, N.A., et al., fails to discharge the mortgage within the prescribed period, the Debtor and/or Debtor's counsel may record with the recorder of deeds a certified or exemplified copy of this order, along with a copy of the bankruptcy discharge order, which shall have the same force and effect of a discharge of mortgage; and

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**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO
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It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that the balance of U.S. Bank, N.A., et al., claim in excess of the \$5,200 secured portion shall be allowed as a non-priority general unsecured claim and shall be paid as such in accordance with the Debtor's Chapter 13 Plan; and

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** U.S. Bank, N.A., et al., shall retain its lien for the full amount due under the subject loan in the event of either the dismissal of the Debtor's Chapter 13 case or the conversion of the Debtor's Chapter 13 case to any other Chapter under the United States Bankruptcy Code.

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that in the event that the property is destroyed or damaged, pursuant to the mortgage, U.S. Bank, N.A., et al., is entitled to its full rights as a loss payee with respect to the insurance proceeds and has a security interest in such proceeds up to the entire balance due on the mortgage.

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that in the event that any entity, including the holder of the first lien on the Subject Property forecloses on its security interest and extinguishes Creditor's lien prior to the Debtor's completion of the Chapter 13 plan, U.S. Bank, N.A.'s lien shall attach to the surplus proceeds of the foreclosure sale for the full amount of the subject loan balance at the time of the sale.

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that U.S. Bank, N.A., et al., shall retain its lien for the full amount due under the subject loan should the subject property be sold, or should a refinance take place prior to the Chapter 13 plan completion and entry of a Discharge.

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** the Debtor retains the right to object to U.S. Bank, N.A.'s, claim, and

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that the Debtor complies with the disclosures set forth in 11 U.S.C. 521 (f); and

It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that Section 7(a) of Debtor's Modified Plan filed 3/25/2020 is hereby stricken; and

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**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO
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It is **FURTHER, ORDERED, ADJUDGED** and **DECREED** that U.S. Bank, N.A.'s
objection to confirmation is hereby resolved.

Certificate of Notice Page 5 of 5

United States Bankruptcy Court
District of New JerseyIn re:
Guillermo J Romero
DebtorCase No. 19-22136-MBK
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: May 18, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 20, 2020.

db +Guillermo J Romero, 79 Washington Ave., Carteret, NJ 07008-2624

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 20, 2020

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 18, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com

Denise E. Carlon on behalf of Creditor U.S. Bank National Association, as Trustee, ET AL...
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.comDouglas J. McDonough on behalf of Creditor U.S. Bank National Association, as trustee, on
behalf of the holders of the Adjustable Rate Mortgage Trust 2007-1, Adjustable Rate
Mortgage-Backed Pass-Through Certificates, Series 2007-1 DMcDonough@flwlaw.comFranklin S. Montero on behalf of Debtor Guillermo J Romero montero@fmonterolaw.com,
thrasher.k@fmonterolaw.com, crisostomo.y@fmonterolaw.com, monterofr95137@notify.bestcase.comKevin Gordon McDonald on behalf of Creditor U.S. Bank National Association, as Trustee, ET
AL... kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6